

**RICHARDS, LAYTON & FINGER**

A PROFESSIONAL ASSOCIATION

ONE RODNEY SQUARE

920 NORTH KING STREET

WILMINGTON, DELAWARE 19801

(302) 651-7700

FAX (302) 651-7701

WWW.RLF.COM

DIRECT DIAL NUMBER

302-651-7705

FARNAN@RLF.COM

KELLY E. FARNAN

May 13, 2005

**VIA ELECTRONIC FILING AND HAND DELIVERY**

The Honorable Gregory M. Sleet  
United States District Court for  
the District of Delaware  
844 King Street  
Wilmington, Delaware 19801

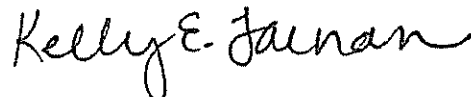
**Re: *Shire Laboratories v. Impax Laboratories,***  
**C.A. Nos. 03-1164-GMS, 05-20-GMS**

Dear Judge Sleet:

Enclosed is a proposed form of scheduling order reflecting the dates agreed upon by the parties and discussed with Your Honor during the scheduling conference conducted in this matter on April 11, 2005 and the teleconferences held on April 29, 2005 and May 4, 2005. In addition, as requested by Your Honor, the enclosed proposed form of order includes a stipulation regarding literal infringement. Finally, it consolidates the actions under one civil action number.

If Your Honor has any questions regarding the proposed form of order, counsel remain available at the Court's convenience. Thank you.

Respectfully,



Kelly E. Farnan (#4395)

KEF:bw

cc: Clerk of the Court (via electronic filing)

Mary B. Matterer, Esquire (via electronic filing and hand delivery)